



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

MINUTES

NEWINGTON TOWN COUNCIL PUBLIC HEARING 7:00 P.M.

September 11, 2012

Mayor Woods called the meeting to order at 7:00 p.m. in the Helen Nelson Room, Town Hall.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Councilor Borjeson
Councilor Bottalico
Councilor Castelle
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor McBride
Councilor Nagel
Mayor Woods

Staff in attendance:

John Salomone, Town Manager
Peter Boorman, Town Attorney
Jamie Trevethan, Executive Assistant
Linda Irish-Simpson, Clerk of the Council

III. AWARDS/PROCLAMATIONS

Mayor Woods called for a moment of silence in memory of the victims of September 11, 2001.

A. Leukemia, Lymphoma & Myeloma Awareness Month

Mayor Woods moved the following:

WHEREAS, blood cancers currently afflict more than 894,543 Americans with an estimated 138,530 new cases diagnosed each year, and
WHEREAS, leukemia, lymphoma and myeloma will kill an estimated 52,910 people in the United States this year, and
WHEREAS, The Leukemia & Lymphoma Society, through voluntary contributions, is dedicated to finding cures for these diseases through research efforts and the support of those who suffer from them, and
WHEREAS, The Leukemia & Lymphoma Society maintains offices in Fairfield County and Meriden, Connecticut to support patients with these diseases and their family members in the Town of Newington, and
WHEREAS, the Town of Newington is similarly committed to the eradication of these diseases and supports the treatment of its citizens that suffer from them, and

**WHEREAS, the Town of Newington encourages private efforts to enhance research funding and education programs that address these diseases,
NOW, THEREFORE BE IT RESOLVED, that the Town of Newington joins with The Leukemia & Lymphoma Society in designating the month of September 2012 as Leukemia, Lymphoma & Myeloma Awareness Month to enhance the understanding of blood related cancers and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure.**

The motion was seconded by Councilor Cohen and the motion passed 9 – 0.

IV. PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Street: She requested that the times and places of meetings for the Town Hall Renovation Project Building Committee be listed on the Town website and notices of the meetings be sent to people who signed up for notification. Mrs. Lyons stated the information on the website regarding the meetings was vague and wanted the specific date and time listed. She stated there were no minutes posted on the website regarding these meetings. She encouraged the public to attend the public meetings so they were aware of what was going on before it was voted on. Mrs. Lyons requested the Council members of the Committee give updates to the Council on what was being considered on a regular basis.

V. CONSIDERATION OF OLD BUSINESS

Councilor Nagel moved to add to old business the Newington High School Tennis Court Reconstruction Project.

The motion was seconded by Councilor Klett and the motion passed 9 – 0.

A. FY 2012-13 Capital Projects Appropriation Transfer

Councilor Castelle moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Capital and Non-Recurring Expenditures Fund, the amounts listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88113	Fenn Road Access Road	\$20,000

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds to the following account in the Capital and Non-Recurring Expenditures Fund:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88329	National Welding - Engineering Services	\$20,000

The motion was seconded by Councilor Cohen and the motion passed 9 – 0.

B. Transfer of Funds for Charter Revision Commission

Councilor Castelle moved the following:

RESOLVED:

That the Newington Town Council hereby authorizes an expenditure not to exceed ten-thousand five hundred dollars (\$10,500) from Program 962, Contingency, for expenses related to the duties of the Charter Revision Commission.

Councilor Cohen seconded by motion and the motion passed 9 – 0.

C. Acceptance Bid: Newington High School Tennis Courts Reconstruction

Councilor Nagel explained the Code Compliance Committee had met and accepted the bid from M & M Tennis Court in the amount of \$477,500, which was the only bid. He explained the Committee had researched the company which had done previous work on the High School Track and the current amount came in under budget. He indicated the project had applied for up to a \$50k grant, which had not yet been received. Councilor Nagel stated the Board of Education would be paying an additional \$27k in design fees for the work associated with the project and once a grant was received the Board of Education money would be replaced and if less than \$27k, the amount would be charged back to the project by the Board who would absorb the remaining dollar amount.

Councilor Bottalico was concerned about there being only one bid and was it OK to take which Mr. Salomone indicated there was no obligation to have more than one bid as long as the project had gone out to bid. Councilor Klett explained the Committee was concerned about the project going over budget and wanted to ensure the bidder had the ability to complete the project. She also stated the Committee did not think they would receive the maximum grant of \$50k since not all of the requirements had been met because they became aware of the grant after the original bidding process was done. To keep the project under budget, Mayor Woods explained, the project eliminated the demolition of the 8' fence, which would be reconstructed on the football field. Councilor Cohen stated the purpose of the re-bidding was to comply with USTA's new requirements, which required a different set of specs in the second bid.

Councilor Nagel moved the following:

RESOLVED:

That the Newington Town Council, pursuant to Chapter 8, Article X, Project Building Committees, of the Newington Code of Ordinances; and upon the recommendation of the School Code Compliance Project Building Committee; hereby accepts the bid of M & M Tennis Court of Bristol, CT with the base bid amount of \$477,500.00, for tennis court reconstruction at Newington High School.

BE IT FURTHER RESOLVED:

That the Newington Town Council authorizes the Town Manager, John L. Salomone, to execute appropriate contracts to accomplish the construction in accordance with the bid specifications.

The motion was seconded by Councilor Cohen and the motion passed 9 – 0.

VI. CONSIDERATION OF NEW BUSINESS

A. Approval of Explanatory Text – Charter Revision

John Salomone stated there were three draft versions for the Charter Revision: 1) a detailed version 2) a longer version 3) a postcard version. The third version relied on internet or hard copy to get detailed information on the changes. The first and second versions were more complicated, tried to give a brief explanation of the changes and what the changes were on one or two pages. He explained the prices (approx. 10,000 pcs) for mailing were close and would be about \$2,650 for the mailing part. The cost of the post card would be about \$1,400 up to about \$2,600 (2 pg version). All three versions would be within the projected budget. Hard copies of everything would be in the Town Clerk's office as well as the Town Manager's office and Library.

Attorney Boorman thanked the Town Clerk for putting together the longer 2 page version but the Committee thought it would be difficult for people to read it and might turn people off by the length. The shorter version kept as much of the specifics as possible and the postcard was very concise and essentially provided information

that there would be a charter question on the ballot. He stated all met the statute requirements. Mr. Salomone stated he and Atty. Boorman thought the long version was too cumbersome, and he leaned toward the postcard or the shorter version. He indicated the website would have a clean version of the Charter so a resident could read the entire document with no red lines.

Councilor Borjeson thought shorter was better but when he tried to follow the instructions on the form to go to the Town Manager's site, he was unable to get further information. Mr. Salomone indicated that until the Council decided which direction they wanted to go, the link would not be put up on the website. It would be placed prominently on the site so residents would not have a difficult time finding the information. He suggested the Council send the postcard with directions to the website and provide summaries of proposed changes and red line summaries.

Councilor Cohen asked if whole sentences could be taken out and bullet points used to replace them. She thought highlights would be sufficient. She also wanted to know if a larger type could be used for easier reading and put in references to where the items could be researched.

Councilor McBride asked if the website would take the resident to an explanation of the changes or to the Town Charter or a combination. Mr. Salomone indicated the website would take the resident to the Charter with red lines, before and after changes, and they could also review all the minutes of the meetings to determine why changes were made. Councilor McBride thought having a Cliff notes version of the changes would be helpful. If people wanted to know about the changes but did not have the time to look through all the minutes, etc. a short version explanation might be helpful.

Atty. Boorman indicated that the consensus of the Council was to have the postcard version, with changing from sentences to bullet points and larger print and if posting the longer, two page version on the website, the Council should vote on that separately from the explanatory text. He said he thought the consensus on the longer version was to take out the references to all the charges and use the bullets for the sections that were there.

Councilor Bottalico moved to amend the rules to vote on the Charter Revision Explanatory Text and was seconded by Councilor Cohen. The motion passed 9 – 0.

Councilor Borjeson moved the following:

WHEREAS, §9-369b (b) of the Connecticut General Statutes authorizes the preparation and printing of concise explanatory text of local proposals or questions approved for submission to the electors of a municipality at a referendum, and;

WHEREAS, the Statute further authorizes the explanatory text to be prepared by the municipal clerk, subject to the approval of the municipal attorney;

NOW THEREFORE BE IT RESOLVED that the Newington Town Council approves the explanatory text, as amended, hereto attached.

The motion was seconded by Councilor DelBuono and the motion passed 9 – 0.

Public Participation:

Rose Lyons, 46 Elton Drive: She agreed with the postcard version but said she thought people would not be interested in reading and researching the item further.

Councilor Borjeson moved to make the longer version of the explanatory text available on the Town website and was seconded by Councilor DelBuono. The motion was passed 9 – 0.

VII. RESIGNATIONS/APPOINTMENTS

- A. Town Plan and Zoning Commission
 - 1. Accept Resignation of Dana Woods

Councilor Klett moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Dana Woods as a member of the Town Plan and Zoning Commission in accordance with correspondence dated August 31, 2012.

The motion was seconded by Councilor Cohen and the motion passed 9 – 0.

- 2. Appoint a Replacement (TBD)
- B. Appointments to Boards and Commissions

Councilor Klett moved the following:

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

Human Rights Commission

**9 members, 3 year term
Party Max.: 6**

Name	Address	Party	Appointing Party	Term	Replaces
Paul Plavcan	38 Welles Drive North	D	D	IMMED.- 11/30/12	Theresa Claffey (res. 6/2012)

The motion was seconded by Councilor Castelle and the motion passed 9 – 0.

VIII. MINUTES OF PREVIOUS MEETINGS

- A. Regular Meeting, August 28, 2012

A motion was made by Councilor Cohen to accept the minutes and was seconded by Councilor Borjeson. The motion passed 9 – 0.

IX. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

John Salomone gave an update on the strike and said legal action was going on that could shorten the strike. He indicated the Town was in constant communication with the residents in the area. He said the strikers were rotating between different people's houses so the inconvenience was shared and had created more anxiety. The Town Manager said the biggest problem were the supporters of the strikers honking their horns, which in the evening created more of a nuisance. Councilor McBride asked Mr. Salomone to look into the situation of strikers blocking the sidewalk, which made it difficult for children to go to school. Councilor Klett indicated that security had been reduced and Mr. Salomone stated there was no need for a lot of security at night since most of the strikers left but had not changed the Town's deployment of police personnel.

X. COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Borjeson attended a meeting of the Capital Region Council of Governments and gave an update on a grant being developed for an On Call Consulting Work Grant, which would help towns plan for the development of sites such as Cedar Street and Newington Junction. He stated there was an RFP out for the National Welding site that would give the Town information from developers, who might indicate what could be developed at the site. The consensus was for the grant to be used for Newington Junction. If the grant was received, the consultant would prepare a base map, gather existing condition reports, develop a concept plan, meet with the Town and prepare a summary memo with opportunities and constraints. Other critical areas would be traffic plans, parking, and infrastructure improvements with regard to bridges, roads and drainage. The area was zoned industrial and some of the uses proposed would be retail, commercial or medical space to generate employment in the area. He stated housing would have to be consistent with the needs and character of the

Town. Councilor Borjeson indicated it would be a long term project and would have to review at a later time to determine if zoning would need to be changed.

Councilor Nagel stated that NCTV had received a grant which would enable them to purchase three cameras in the Helen Nelson Room and the Ambler Room along with the wiring needed. It would not include individual microphones for the speakers. Mr. Salomone indicated the installation of the cameras would begin next week, which would allow one person to run all three cameras from the studio with the possibility of switching back and forth to have better angles.

Councilor Nagel gave an update on the Code Compliance Committee regarding the on-going work at the High School. He said the bleachers were done, the stone screening was completed, paving completed at the JV football field, paths had been prepped to be done soon, paving done behind the home football field bleacher and the visitors side they must resolve a property line issue with the VA Hospital. He indicated the dugouts for the baseball field were moving along. Councilor Borjeson said the report of PCB contamination at the high school auditorium indicated the paint on the floor was above acceptable levels and additional funds might have to be appropriated.

Councilor Klett questioned the site line on Willard and Cedar Streets which was a sensitive situation with the residents, and if there were plans to expand the road. Both Councilor Borjeson and John Salomone indicated there were no plans for that area at the present time. Mr. Salomone said a sidewalk would be put in for the pedestrian walkway through Chapman when it crosses over Willard. Mayor Woods indicated that down the road as the area moved to redevelopment, traffic patterns would be a concern that would need to be addressed.

Councilor Cohen said the Senior Center's coffee shop had been revamped and people could now pick up food and take the food home and not be a member of the Senior Center. She explained the Youth Adult Council was looking to increase their youth membership and were going to start a program to recognize youths who had done something good in the community to counteract bad publicity of today's youth.

Councilor McBride gave an overview of the Town Hall Renovation project and said he had heard Mrs. Lyons comments on meeting dates and times and would attempt to do a better job of notification in the future but that during the summer with everyone's schedule, it was difficult to do. He stated in the last meeting the committee voted to have an architectural design competition to help choose the design of the building. Councilor Bottalico said it was the largest project he had ever been on with a lot of research to be done and a lot of ideas expressed. Councilor Cohen said that she had received the minimum amount of notice for the meetings and if someone was interested, they could be notified at the same time the members were notified. She also stated the project would be very large and expensive but the Council would finance it through bonding. As long as the Committee stayed within the CIP cap of \$6.3 million, the impact on taxes would be zero. Councilor McBride indicated the next meeting of the committee would be October 1 at 5:30 p.m. and encouraged the public to attend.

Councilor Castelle stated he had attended a recent meeting of the Library Board of Trustees and would be giving a report on the meeting for the next Council meeting.

XI. PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Drive: She agreed with Councilor McBride about publicizing the meetings were not for her benefit but for the general public. Mrs. Lyons challenged the public to go to a meeting to have their say before any decisions were made. Mrs. Lyons was pleased that Market Square would be getting signs for the areas, entrances, and businesses. She hoped that whoever looked at the Busway near Chapman Street would keep in mind the intersection was currently horrendous with only one way in or out of the street. Mrs. Lyons challenged those residents in the area to go to a Council meeting to express their views.

XII. REMARKS BY COUNCILORS

Councilor Klett asked for an update on legal matters periodically because of items like the TPZ being sued and not notifying the Council of the action.

XIII. EXECUTIVE SESSION RE: PERSONNEL & COLLECTIVE BARGAINING

Councilor Bottalico moved to go into to Executive Session re: Personnel and Collective Bargaining at 8:50 p.m. and the motion was seconded by Councilor Klett. The motion passed 9 – 0. All Councilors, Town Manager Salomone and Attorney Ken Plumb were in attendance.

Councilor Bottalico moved to adjourn the Executive Session at 10:20 p.m. and the motion was seconded by Councilor Klett. The motion passed 9 – 0.

XIV. Adjournment

Councilor Nagel moved to adjourn the meeting at 10:21 p.m. Motion seconded by Councilor Borjeson. Motion passed 9-0.

Respectfully Submitted,

Linda Irish-Simpson

Linda Irish-Simpson
Clerk of the Council

Cc: T. Lane, Town Clerk